

RESPONSE UNDER 37 C.F.R. § 1.116
U.S. Application No. 10/066,671

Q68367

Allowable Subject Matter

The Examiner indicates that Claim 21 contains allowable subject matter and would be allowed if rewritten into independent form including the limitations of the claims form which it depends. Applicant respectfully requests that the rewriting of Claim 21 be held in abeyance at this time.

Claim Rejections

In the current Office Action, the Examiner maintains his rejection of Claims 1-6 and 12-15 and has included Claims 20 in this rejection: Claims 1-6, 12-15 and 20 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Watanabe et al., U.S. Patent No. 6,823,083 ("Watanabe"), in view of Kim, U.S. Patent No. 6,078,686 ("Kim").

In the Amendment of July 29, 2005, Applicant argued that the cited references fail to teach or suggest a target pixel, as recited in Claims 1 and 12. In response, in the current Office Action, the Examiner refers to Kim (figure 2 and associated description) and asserts that Kim's disclosure "expressly teaches forming a window around an input pixel $Y[i][j]$ and using the pixels in the window to correct the input pixel." (Office Action, p. 2).

However, Applicant submits that " $Y[i][j]$ " as discussed in Kim is not an input pixel, but is rather an input luminance signal (col. 5, lns. 6-10, col. 6, lns. 63-64). Kim describes that a "5x5 large window" and a "3x3 small window" are generated. However, there is no teaching or suggestion in Kim that the input luminance signal represents a single pixel or that the large or small windows comprise predetermined pixels around a target pixel, as recited in Claims 1 and 12. There is no teaching or suggestion of any pixel in Kim. The Examiner may be asserting that the target pixel and the predetermined pixels surrounding the target pixel, as recited in Claims 1

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and 12, are inherent in Kim. However, in that case Applicant notes that there is no teaching or suggestion in Kim that the input luminance signal cannot represent any number of areas defined in an input image, and therefore, the target pixel and the predetermined pixels surrounding the target pixel, as recited in Claims 1 and 12 cannot be inherent in the teaching of Kim.

Therefore, Applicant maintains that the cited combination of references fails to teach or suggest "correcting the luminance signal of a target pixel based on an average luminance signal obtained from luminance signals of the target pixel and predetermined pixels surrounding the target pixel," as recited in Claims 1 and 12.

Regarding Watanabe, the Examiner acknowledges that this reference fails to teach or suggest the above-discussed limitation of Claims 1 and 12 (Office Action, p. 4).

Applicants therefore submit that Claims 1 and 12 are patentable over the cited combination of references and that Claims 2-6, 13-15, 20, and 21 are patentable at least by virtue of their dependence on Claims 1 and 12. Applicants respectfully request that the rejection of the claims be reconsidered and withdrawn.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Laura Moskowitz
Registration No. 55,470

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: February 3, 2006

CERTIFICATION OF FACSIMILE TRANSMISSION

Sir:

I hereby certify that the above identified correspondence is being facsimile transmitted to Examiner **Colin M. LAROSE** at the Patent and Trademark Office on February 3, 2006 at 571-273-8300 (Central Fax).

Respectfully submitted,



Laura Moskowitz